

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

AMY GANTS,)	
an adult individual resident of Albion)	
County of Kennebec, State of Maine)	
)	
Plaintiff,)	
v.)	Civil Action No.
)	
PROBST ELECTRIC, INC.,)	
A Utah corporation registered to do)	
business in Maine, with a place of business)	
in Searsmont, Waldo County, State of Maine)	
)	
and)	
)	
QUANTA SERVICES, INC.)	
a Texas corporation with a subsidiary registered)	
to do business in Maine, with a place of business)	
in Searsmont, Waldo County State of Maine)	
)	
Defendants)	

NOTICE OF REMOVAL

PLEASE TAKE NOTICE that pursuant to 28 U.S.C. §§ 1441 and 1446, Defendants Probst Electric, Inc. and Quanta Services, Inc.,¹ (collectively, “Defendants”) by and through their attorneys, Ogletree, Deakins, Nash, Smoak & Stewart, P.C., hereby remove this action from the Superior Court of the State of Maine, Kennebec County, to the United States District Court for the District of Maine. In support of this Notice of Removal, Defendants state as follows:

¹ Quanta Services, Inc. is not a proper party in this action and expressly reserves all of rights including, without limitation, the right to seek immediate dismissal of all claims against it following removal to this court. In submitting this Notice of Removal, Defendants reserve and do not waive any rights.

1. By Complaint filed with the Superior Court, Kennebec County on or about May 30, 2018, Amy Gants instituted a claim against Defendants. A copy of the Superior Court Complaint is attached hereto as **Exhibit 1**.

2. Pursuant to 28 U.S.C. § 1446(a), this Notice of Removal is timely filed within thirty (30) days of June 1, 2018, the date on which Defendants received, via email, a courtesy copy of Plaintiff's Complaint. This Court has original jurisdiction over this action by virtue of federal question jurisdiction pursuant to 28 U.S.C. § 1331. Specifically, Plaintiff is alleging a violation of the Fair Labor Standards Act, 29 U.S.C. § 207, as well as other claims pursuant to state law.

3. As this action could have been commenced in this Court, removal is proper. *See* 28 U.S.C. § 1441(a). Furthermore, this Court may exercise supplemental jurisdiction over the Plaintiff's state law claims. *See* 28 U.S.C. § 1367(a).

4. The requirements of the removal statute having been met, Defendants' right to remove is absolute. *See* 1A *Moore's Federal Practice* 0.157 [1-3] p. 44.

Respectfully Submitted,
PROBST ELECTRIC, INC. and
QUANTA SERVICES, INC.

By their attorneys,
OGLETREE, DEAKINS, NASH,
SMOAK & STEWART, P.C.,

Date: June 29, 2018

By: /s/ Danielle Y. Vanderzanden
Danielle Y. Vanderzanden
One Boston Place
Boston, MA 02108
(617) 994-5700
(617) 994-5701 (fax)
dani.vanderzanden@ogletreedeakins.com

CERTIFICATE OF SERVICE

I hereby certify that I have this 29th day of June, 2018, served the above document by e-mail and First Class Mail on counsel for the Plaintiff as follows:

Rebecca S. Webber, Esquire;
Jordan Payne Hay, Esquire, attorneys for Plaintiff Amy Gants
Skelton, Taintor & Abbott
95 Main Street
Auburn, ME 04210
rswEBBER@sta-law.com
jphay@sta-law.com

/s/ Danielle Y. Vanderzanden

34623546.1